

AUTHORIZING AN INVESTIGATION AND REPORT ON THE
ADVISABILITY OF A NATIONAL MONUMENT IN BROOK-
LYN, N. Y.

JULY 3, 1952.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. MURDOCK, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany H. R. 6891]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H. R. 6891) to provide for the acquisition, restoration, and maintenance of the burial ground of 256 Maryland heroes of the American Revolution and erection of a suitable memorial, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follow:

Strike all after the enacting clause and insert in lieu thereof the following:

That the Secretary of the Interior is hereby authorized and directed to make an investigation and report thereon to the Congress at not later than March 1, 1953, with respect to the advisability of establishing a national monument in Brooklyn, New York, in honor of 256 Maryland heroes who fell in combat during the battle of Brooklyn on the 27th day of August 1776. The report to the Congress shall include information regarding the following:

- (1) National historical importance of such a memorial;
- (2) Nature of burial site, identity of exact site of burial, size and present-day conditions of site, including improvements thereon;
- (3) Complete cost for the establishment of such memorial;
- (4) Cost of maintenance of such a memorial and amount thereof that will be paid for by the city of New York and/or the State of New York; and
- (5) Recommendations.

Amend the title so as to read:

A bill to authorize an investigation and report on the advisability of a national monument in Brooklyn, New York

EXPLANATION OF THE BILL

As amended, H. R. 6891 authorizes and directs the Secretary of the Interior to make an investigation and submit a report thereon to the Congress not later than March 1, 1953, with respect to the advisability of establishing a national monument in Brooklyn, N. Y., in honor of 256 Maryland soldiers killed in the Battle of Brooklyn on August 27, 1776. The bill stipulates that the report shall include the following information:

- (1) National historical importance of such a memorial;
- (2) Nature of burial site, identity of exact site of burial, size and present-day conditions of site, including improvements thereon;
- (3) Complete cost for the establishment of such memorial;
- (4) Cost of maintenance of such a memorial and amount thereof that will be paid by the city of New York and/or the State of New York; and
- (5) Recommendations.

As introduced, the bill would have authorized the Secretary to acquire the land in Brooklyn in which the soldiers are buried, authorized the acquisition of any land adjoining the burial plot that might be necessary to establish a cemetery, and provided for the erection of a memorial on the land and for the restoration, maintenance, and care of the graves. The report of the Department of the Interior thereon is set forth below in full:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., June 26, 1952.

HON. JOHN R. MURDOCK,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D. C.*

MY DEAR MR. MURDOCK: Your committee has requested a report on H. R. 6891, to provide for the acquisition, restoration, and maintenance of the burial ground of 256 Maryland heroes of the American Revolution and erection of a suitable memorial.

We recommend that favorable consideration be given to this proposed legislation if it is amended in accordance with the enclosed draft of bill.

H. R. 6891 would authorize the Secretary of the Interior to acquire the plot of land in Brooklyn, N. Y., in which 256 Maryland soldiers, killed in the Battle of Brooklyn on August 27, 1776, are buried. It authorizes the acquisition also of any land adjoining the burial plot that may be necessary to establish a cemetery, and provides for the erection of a memorial on the land and for the restoration, maintenance, and care of the graves.

During the Battle of Brooklyn on August 27, 1776, 400 Maryland soldiers participated in a rear-guard action protecting Washington's Army in its maneuvers in that area. Two hundred and fifty-six Maryland soldiers lost their lives. The dead were buried in trenches. According to reports part of the battlefield site is now a playground, and part of it is occupied by tenement houses.

Our suggested revision of this proposed legislation which our experience in the establishment and administration of historical properties indicates to be desirable, provides for an investigation of the location and a determination thereafter concerning the desirability of acquiring this property. Our suggested revision authorizes the Secretary of the Interior to erect an appropriate memorial on the land and to enter into suitable cooperative arrangements with the city of New York and the State of Maryland for the performance of the functions prescribed in sections 1 and 2 thereof relating to the investigation, land acquisition, and erection of the memorial. Our suggested revision requires also that prior to acquisition of the property or the erection of the memorial, if such should prove to be feasible, the city of New York (or political subdivision thereof) or the State of Maryland shall first signify an agreement to accept and maintain the properties acquired or established pursuant to this legislation. We consider this procedure

to be in the public interest. It is consistent with practices heretofore followed in many cases and with previous enactments, such as the act of June 16, 1938 (52 Stat. 767), relating to the erection of a monument to the memory of General Muhlenberg.

Our recommendations on this bill are of equal application to H. R. 6502, which it supersedes.

This report has been submitted to the Bureau of the Budget, and we have been advised by that Bureau that there is no objection to its submission to your committee.

Sincerely yours,

R. D. SEARLES,
Under Secretary of the Interior.

A BILL Relating to the acquisition, restoration, and maintenance of the burial ground of two hundred and fifty-six Maryland heroes of the American Revolution and erection of a suitable memorial

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to investigate the location of, and the desirability of acquiring through purchase, donation, condemnation, or otherwise, the plot of land in Brooklyn, New York, in which two hundred and fifty-six Maryland soldiers killed in the Battle of Brooklyn on August 27, 1776, are buried, and such adjoining land as may be necessary to establish a suitable cemetery or memorial in their honor.

SEC. 2. If the Secretary shall determine that the establishment of such a memorial is feasible and justified, he is authorized to acquire the said property in the above-described manner, upon such terms and conditions as he may deem in the public interest, and to erect an appropriate memorial on such lands. In performing the functions authorized in sections 1 and 2 hereof, the Secretary may make suitable cooperative arrangements with the city of New York and the State of Maryland.

SEC. 3. Prior to acquisition of the aforesaid property and the erection of the authorized memorial by the Secretary, the city of New York (or a political subdivision thereof) or the State of Maryland shall signify in writing to the Secretary an agreement to accept and maintain the properties which may be acquired or established pursuant to this Act. The Secretary of the Interior is authorized to execute such instruments and deeds of conveyance as he shall find to be necessary for purposes of this Act.

The Committee on Interior and Insular Affairs believes that a comprehensive report should be submitted on the proposed memorial before any authorization is granted, and it unanimously recommends the enactment of H. R. 6891 as amended.



